Government of Saskatchewan

Annual Report 2001-2002

Saskatchewan Labour Relations Board

for the fiscal year ending March 31, 2002

Published by Authority of
The Honourable Deb Higgins
Minister of Labour

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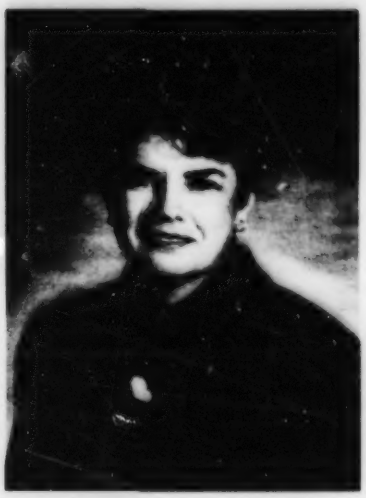
The Honourable Dr. Lynda M. Haverstock
Lieutenant Governor
Province of Saskatchewan



May it Please Your Honour:

I respectfully submit the Annual Report of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2002.

Deb Higgins

Hon. Deb Higgins
Minister of Labour

Hon. Deb Higgins
Minister of Labour

Dear Madam:

It is my pleasure to provide you with the Annual Report of the Saskatchewan Labour Relations Board. It covers the period commencing April 1, 2001 and ending March 31, 2002.

A. J. A.

Gwen Gray, Q.C.
Chairperson
Labour Relations Board

I. Labour Relations Board

The Labour Relations Board came into existence in 1944 with passage of *The Trade Union Act*, S.S. 1944 (2nd Sess.) c. 69. Although the *Act* has often been amended, most recently in 2000, the basic concept of the Board has not changed. The Board is an independent, quasi-judicial tribunal charged with the responsibility of adjudicating disputes that arise under *The Trade Union Act*. It does this principally through public hearings and written decisions.

The Board's decisions are final and binding upon the parties. There is no appeal, and review by the courts is strictly limited.

The Act presently provides for a board composed of a chairperson and two vice-chairpersons and an unspecified number of members. All members of the Board, including the chairperson and vice-chairpersons, are appointed by the Lieutenant Governor in Council. The chairperson and vice-chairpersons are full-time members of the Board. The remaining members are appointed and paid on a per diem basis when their services are required.

The Board is a representational board. This means that all members of the Board, with the exception of the chairperson and vice-chairpersons, are representatives of employees or employers. The chairperson and vice-chairpersons are neutral and are lawyers. The Board reports to the Minister of Labour for the Province of Saskatchewan. The Minister is obligated by *The Trade Union Act* to provide the Board with the requisite staff and facilities. The Board operates independently from the government, its departments and agencies.

The Board's offices and staff are located at 1600 - 1920 Broad Street, Regina. The Board also maintains a hearing room in Saskatoon. The staff of the Board is composed of the Board Registrar/Legal Counsel, Investigating Officer, Executive Assistant to the Chairperson and three clerical positions. One of the Vice-Chairpersons is appointed to act as Executive Officer of the Board. An Organizational Chart of the Labour Relations Board is contained in Table 1.

The composition of the Board for 2001-2002 was:

Gwen Gray, Q.C. - Chairperson

Gwen Gray, Q.C. was appointed Vice-Chairperson of the Board in August of 1995, and was appointed Chairperson in July, 1997. Ms. Gray obtained her undergraduate degrees in sociology and law from the University of Saskatchewan and her graduate degree in law from Cornell University, Ithaca, New York. Ms. Gray practised labour law in Regina from 1978 to 1988 and in Edmonton from 1992 to 1994. She returned to Regina in 1994 to work as Legal Analyst in the Department of Labour.

James Seibel - Vice-Chairperson

James Seibel was appointed Vice-Chairperson and Executive Officer of the Board in November, 1997. Mr. Seibel obtained his Bachelor of Science degree from the University of Regina and his law degree from the University of Saskatchewan. He was in the private practice of law in Saskatoon from 1981 to 1997, with an emphasis on labour law and arbitration. Mr. Seibel resides in Saskatoon.

Wally Matkowski - Vice-Chairperson

Wally Matkowski was appointed Vice-Chairperson of the Board in March, 2001. Mr. Matkowski obtained his Bachelor of Arts degree and his law degree from the University of Saskatchewan. He was in the private practice of law in both Regina and Saskatoon from 1986 to 2001, with a large amount of his time spent as both a labour arbitrator and a mediator. Mr. Matkowski resides in Saskatoon.

Bruce McDonald

Bruce McDonald was appointed to the Board in 1974 as a member representing employees. Mr. McDonald is a retired business agent for the International Brotherhood of Painters and Allied Trades, Local Union 1996. He is a past president of the Canadian Federation of Labour (Sask.). Mr. McDonald resides in Saskatoon.

Ken Hutchinson

Ken Hutchinson was appointed to the Board in March of 1992 as a member representing employers. He previously served on the Board from 1977 to 1986 in the same capacity. Mr. Hutchinson is self-employed as a labour management consultant. Mr. Hutchinson was formerly the Administrator of Personnel Services at the Regina General Hospital and the Director of Industrial Relations for the Saskatchewan Hospital Association. Mr. Hutchinson resides in Fort Qu'Appelle.

Gloria Cymbalisty

Gloria Cymbalisty was appointed to the Board in March of 1992 as a member representing employees. She is self-employed as an industrial relations consultant. She was formerly a representative for the Saskatchewan Joint Board, Retail, Wholesale and Department Store Union. Ms. Cymbalisty resides in Regina.

Tom Davies

Tom Davies was appointed to the Board in March of 1994 as a member representing employers. Mr. Davies was formerly the Human Resources Manager for IMC Potash-Esterhazy and is active with the Saskatchewan Chamber of Commerce Labour Committee. Mr. Davies is semi-retired and is self-employed as a labour management consultant. He resides near Esterhazy.

Gerry Caudle

Gerry Caudle was appointed to the Board in March of 1994 as a member representing employees. Mr. Caudle had previously served in the same capacity during the 1980s. He is a retired representative with the Canadian Union of Public Employees. Mr. Caudle resides in Saskatoon.

Donald Bell

Don Bell was appointed to the Board in July of 1995 as a member representing employers. Mr. Bell is President of Insulation Applicators Ltd. Mr. Bell resides in Regina.

Brenda Cuthbert

Brenda Cuthbert was appointed to the Board in July of 1995 as a member representing employers. Ms. Cuthbert is the Director of Human Resources for Kindersley Transport Ltd. Ms. Cuthbert resides in Saskatoon.

Donna Ottenson

Donna Ottenson was appointed to the Board in July of 1995 as a member representing employees. Ms. Ottenson is a Registered Nurse in long-term care in Regina and an active member of the Saskatchewan Union of Nurses. Ms. Ottenson resides in Regina.

Bob Todd

Bob Todd was appointed to the Board in July of 1995 as a member representing employees. Mr. Todd is Business Agent for the United Brotherhood of Carpenters & Joiners. Mr. Todd resides in Saskatoon.

Hugh Wagner

Hugh Wagner was appointed to the Board in July of 1995 as a member representing employees. Mr. Wagner is the General Secretary for the Grain Services Union. Mr. Wagner resides in Regina.

Judy Bell

Judy Bell was first appointed to the Board in July of 1996 as a member representing employers. Ms. Bell was formerly the Director of Labour Relations for the Regina District Health Board and is presently a labour relations consultant and a lay Bencher of the Law Society of Saskatchewan. Ms. Bell resides in Regina.

Ron Asher

Ron Asher was appointed to the Board in July of 1998 as a member representing employers. Mr. Asher is President of Clearlite Glass Ltd. He resides in Saskatoon. Mr. Asher retired as a member of the Board on July 14, 2001.

Mike Carr

Mike Carr was appointed to the Board in July of 1998 as a member representing employers. Mr. Carr is Vice-President, Director of Personnel for IPSCO Saskatchewan Inc. Mr. Carr resides in Regina.

Mike Geravelis

Mike Geravelis was appointed to the Board in July of 1998 as a member representing employees. Mr. Geravelis is a staff representative with United Steelworkers of America and is a member of the Saskatchewan Federation of Labour. Mr. Geravelis resides in Regina. Mr. Geravelis retired as a member of the Board on July 14, 2001.

Leo Lancaster

Leo Lancaster was appointed to the Board in July of 1998 as a member representing employers. Mr. Lancaster is a retired labour relations consultant with Saskatchewan Association of Health Organizations. Mr. Lancaster resides in Regina.

Marianne Hodgson

Marianne Hodgson was appointed to the Board in July of 1998 as a member representing employers. Ms. Hodgson is the Managing Director of Hodgson Consulting Ltd. Ms. Hodgson was formerly the Executive Director of the Saskatchewan Registered Nurses' Association and Director of Nursing at Regina General Hospital. Ms. Hodgson resides in Regina. Ms. Hodgson retired as a member of the Board on July 14, 2001.

Patricia Gallagher

Patricia Gallagher was appointed to the Board in January of 2000 as a member representing employees. Ms. Gallagher is currently the Executive Director of Operations with the Saskatchewan Government and General Employees Union. She has been employed there since 1982 in several capacities. She was formerly employed by the Saskatchewan Federation of Labour as Executive Assistant from 1976 to 1982. Ms. Gallagher resides in Regina.

Duane Siemens

Duane Siemens was appointed to the Board in 2001 as a member representing employees. Mr. Siemens is currently employed as a millwright with Sterling Pulp Chemicals in Saskatoon. Mr. Siemens was formerly the president of CEP Local 609, secretary and vice-president of the Saskatchewan Federation of Labour, and past president of the Saskatoon & District Labour Council. Mr. Siemens resides in Saskatoon.

Clare Gitzel

Clare Gitzel was appointed to the Board in July, 2001, as a member representing employers. Mr. Gitzel was formerly employed with a major mining company as Manager of Human Resources and Northern Affairs. He presently provides consulting services in the human resources and administration fields.

Joan White

Joan White was appointed to the Board in July, 2001, as a member representing employers. Ms. White is the Director of Labour Relations for the University of Saskatchewan. Ms. White resides in Saskatoon.

Maurice Werezak

Maurice Werezak was appointed to the Board in July, 2001, as a member representing employees. Mr. Werezak is a past vice-president of the Saskatchewan Federation of Labour and past president of United Food and Commercial Workers, Local 248-P. Mr. Werezak is a labour representative on the Emploment Insurance Appeal Committee and is employed at Mitchell's Gourmet Foods. Mr. Werezak resides in Saskatoon.

II. *The Trade Union Act*

In Canada, legislative jurisdiction over industrial relations has, since a ruling of the Supreme Court of Canada in 1925, fallen largely under provincial jurisdiction. Fortunately, the potential this presented for legal fragmentation was offset by varying combinations of interprovincial management and union structures, common history and common day-to-day economic and political conditions. The result is a remarkable commonality of core principles and procedures in all 11 Canadian jurisdictions.

The main features of Saskatchewan's *Trade Union Act*, like its counterparts in all other Canadian jurisdictions, may be summarized as follows:

- traditional courts are replaced by a specialized, quasi-judicial tribunal with exclusive and binding jurisdiction over the matters assigned to it by *The Trade Union Act*;
- common law of conspiracy and restraint of trade is abolished insofar as it applies to employees who bargain collectively;
- the majority of employees determine for all employees in a group whether they will bargain collectively and, if so, through which union;
- an employer is required to recognize the union chosen by the majority of its employees as their exclusive representative for the purpose of bargaining collectively;
- the employer and the union are required to bargain in good faith with a view to concluding a collective bargaining agreement;
- a number of unfair labour practices are created to protect employees and unions from any attempt by the employer to interfere with their rights;
- strike and lock-out activity is regulated, but not prohibited;
- specific issues, such as union security, technological change, conciliation, voting procedures and religious exclusions are addressed; and,
- remedial and enforcement procedures are included in the statute.

In short, the Act provides the legal framework for collective bargaining, along with a procedure for adjudicating disputes and enforcing rights and obligations. *The Trade Union Act*, like its counterparts in all other Canadian jurisdictions, does not attempt to prohibit economic conflict between employees and employers, but only to control it. It does not attempt to regulate the outcome of collective bargaining, but merely the process to be followed.

The function of the Labour Relations Board within this statutory framework is to identify the parties which will participate in collective bargaining, and to monitor the procedural aspects of the bargaining process. Under *The Trade Union Act*, the Board is not required to follow all of the formal rules of procedure that have been developed in courts of law.

The Board attempts to conduct its hearings in a way that will make them accessible to representatives of the parties who have no legal training, and which will allow the Board to identify the issues which are genuinely in dispute.

III. *The Construction Industry Labour Relations Act, 1992*

Passed in 1992 and amended in 2000, *The Construction Industry Labour Relations Act, 1992*, S.S. 1992, c. C-29.11, provides for a system of collective bargaining in the building trades between organizations representing groups of contractors and the construction unions. The supervision of this statutory system is conferred on the Board under the legislation.

IV. *The Health Labour Relations Reorganization Act*

Passed in 1996, *The Health Labour Relations Reorganization Act*, S.S. 1996, c. H-0.03, appointed a commissioner to examine the organization of labour relations between health sector employers and employees in the province. The Dorsey Commission report was submitted, and *The Health Labour Relations Reorganization (Commissioner) Regulations*, R.R.S., c. H-0.03, Reg. 1 came into force, in January, 1997.

The legislation confers upon the Board the power to make orders for the purpose of carrying out the intent of the legislation and respecting any matter arising out of the reorganization of labour relations in the health care sector not addressed in the Regulations.

V. Budget Summary

The total budget of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2002 was $810,000. The actual sum expended by the Board during the fiscal year was $796,247. The Board has, over time, displayed an ability to manage its resources efficiently. It should be noted, however, that it is unable to control or predict the nature or number of applications put before it, and as a result, the relationship of expenditure to budgetary allocation cannot be guaranteed.

VI. Summary of Board Activity for 2001-2002

Between April 1, 2001, and March 31, 2002, the Labour Relations Board held 12 monthly meetings lasting a total of 146 days. A total of 242 applications were received and a total of 339 were disposed of by the Board during the year. Tables 2 and 3 show these applications by type of application and disposition. The five-year trend is shown by disposition in Tables 3 and 4 and by type in Tables 5 and 6.

During 2001-2002, 48 certification orders covering 859 employees were issued by the Board and 7 certification orders affecting 99 employees were rescinded.

It is not possible in this report to convey a complete picture of the nature and range of applications brought before the Board during the year. It may be helpful, however, to mention briefly some of the issues that illustrate the many types of questions that arise from applications before the Board.

In *Chauffeurs, Teamsters and Helpers Union, Local 395 v. Inconvenience Productions Inc., et al.*, [2001] Sask. L.R.B.R. 260, the Board considered for the first time an application for certification in the motion picture production industry, which traditionally has been organized along craft lines by voluntary recognition.

During the reporting period, the Board considered many applications relating to disputes between employees and certified bargaining agents alleging violation of the duty of fair representation provided in s. 25.1 of *The Trade Union Act* or a denial of the principles of natural justice provided in s. 36.1. The decisions in *Lien v. Chauffeurs, Teamsters and Helpers Union, Local 395*, [2001] Sask. L.R.B.R. 395, *Schreiner v. Canadian Union of Public Employees, Local 59*, [2001] Sask. L.R.B.R. 444, *McKnight v. Canadian Union of Public Employees, Local 3833*, [2001] Sask. L.R.B.R. 894, *McRae v. Saskatchewan Government and General Employees Union*, [2002] Sask. L.R.B.R. 11 and *Staniec v. United Steelworkers of America, Local 5917*, [2001] Sask. L.R.B.R. 405, confirm that the duty of fair representation applies to representation of employees by unions with respect to disputes that arise under the terms of a collective agreement and not to matters arising under the union's constitution and bylaws, and that the application of the requirements of the principles of natural justice and procedural fairness in a union's internal affairs is generally limited to matters of membership and discipline. The last case also determined that the fact that an employee in the bargaining unit must become a member of the union in order to participate in its decision-making process is not an unfair labour practice.

In *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Temple Gardens Mineral Spa Inc.*, [2001] Sask. L.R.B.R. 320 and *Canadian Union of Public Employees, Local 4162 v. Maple Creek School Division No. 17*, [2001] Sask. L.R.B.R. 368, the Board confirmed the test applied to determine whether a unilateral change to the terms and conditions of employment is an unfair labour practice in violation of the "freeze" imposed by s. 11(1)(m) of *The Trade Union Act*. The Board determined that the application of the pre-freeze "business as usual" test may benefit by being supplemented by a "reasonable expectation of employees" test to identify whether the changes relate to terms that were part of the "labour relations fabric" that existed prior to certification.

In *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Loraas Disposal services Ltd.*, [2001] Sask. L.R.B.R. 814, the Board held that the employer's unilateral introduction of a surveillance system in the workplace violated the provision.

In *CLR Construction Labour Relations Association of Saskatchewan Inc.*, [2001] Sask. L.R.B.R. 393, the Board directed amendments to the constitution and bylaws of the designated statutory representative employers' organization for several trade divisions in the construction industry in relation to membership restrictions.

In *United Food and Commercial Workers, Local 1400 v. Vision Security and Investigations Inc.*, [2002] Sask. L.R.B.R. 73, the Board determined that the employer failed to bargain in good faith when it cancelled several bargaining sessions at the last minute and failed to show up for others, sent a representative without authority to bind the employer and raised new proposals in mid-bargaining.

In *Mayer v. L.L. Lawson Enterprises Ltd., et al.*, [2001] Sask. L.R.B.R. 485, the Board considered the proposition that it exercise a discretion to dismiss a decertification application when a previously filed application for assistance to achieve a first collective agreement is concurrently pending. While the Board declined to do so in the particular circumstances of the case, it acknowledged that such a determination may be appropriate where the employees' dissatisfaction with the union fundamentally stems from the employer's conduct rather than that of the union.

In *United Steelworkers of America v. Tucker and DeJong*, [2001] Sask. L.R.B.R. 532, the Board found that unfair labour practices were committed during a union organizing drive by individuals who uttered threats of bodily harm to supporters of the union.

During the reporting period, the Board considered several significant applications under the successorship provisions of *The Trade Union Act*. In *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Saskatchewan Gaming Corporation and Moose Jaw Exhibition Association Company Ltd.*, [2001] Sask. L.R.B.R. 815, the Board held that s. 37.2 permitted it to make advance rulings on successorship applications in the circumstances where the transaction is crystallized, the agreement is finalized and the effect of the disposition is known with some certainty.

In *Canadian Union of Public Employees, Local 4279 v. AFS Aboriginal Family Service Centre Inc.*, et al, [2001] Sask. L.R.B.R. 602, the Board held that a change of provider for a federally funded social program from one non-governmental organization to another did not constitute a transfer of a business under s. 37. For the first time, the Board considered the s. 37.1 deemed successorship provision with respect to food, janitorial and security services in public buildings in *United Food and Commercial Workers, Local 1400 v. The Canadian Corps of Commissionaires, North Saskatchewan Division*, [2002] Sask. L.R.B.R. 188.

In *Communications, Energy and Paperworkers Union, Local 922 v. Potash Corporation of Saskatchewan*, [2001] Sask. L.R.B.R. 917, the Board held that when providing written notice of a strike or lockout pursuant to ss. 11(6) and (7) of *The Trade Union Act*, it is not necessary to specify the type of activity intended to be taken.

During the reporting period, the Board continued plans to attain certain goals designed to achieve more expeditious hearing and determination of certification and rescission applications as one group, and all other applications as another group.

With respect to certification and rescission (decertification) applications, the first goal was to schedule the hearing of 80% of applications within 20 calendar days of receipt. During the reporting period, 92% of such applications were scheduled within 20 days of receipt (90% of certification applications; 100% of rescission applications). The second goal was to render 80% of decisions within 10 calendar days of the completion of the hearing. During the reporting period, decisions were rendered within 10 calendar days of the completion of the hearing in 74% of such applications (81% of certification applications; 53% of rescission applications).

During the reporting period, the average number of days from completion of hearing to decision of rescission applications was 27. It is important to note that because of the much smaller number of rescission applications actually heard, one such application may have a large effect on the average. The Board's general policies of hearing applications in the order in which they are filed and of deferring the determination of a rescission application until after the determination of a prior application for assistance to achieve a first collective agreement, may result in a delay of the determination of the rescission application.

With respect to all other applications, the first goal, initially adopted in October, 2000,was to render 90% of decisions within 90 calendar days of completion of the hearing. Where the last hearing date of such applications occurred after the adoption of the plan, decisions were rendered in 78% of such applications within 90 days. With respect to applications filed after the adoption of the plan, decisions were rendered in 89% of such applications within 90 days of the completion of the hearing. The results are encouraging and the Board continues to work towards the goal.

During the reporting period, the Board continued to encourage the use of pre-hearing conferences to expedite the formal hearing process, encourage settlement discussions and to facilitate the voluntary use of alternative dispute resolution. The second goal with respect to applications other than certification and rescission applications was to facilitate settlement (withdrawal, consent order, adjournment sine die) with Board assistance in 10% of applications before reaching formal hearing. Of such applications that made it to at least the pre-hearing stage, 14% were settled with Board assistance.

In conjunction with its publisher, the Saskatchewan Legal Education Society Inc. (SKLESI), the Board continued the publication of its Reasons for Decision and any subsequent court decisions during the reporting year in the Saskatchewan Labour Relations Board Reports. The Board wishes to thank SKLESI, its Executive Director and staff for their considerable effort and continued cooperation in the publication of the Reports.

VII. Tables

Table 1

Labour Relations Board
Organizational Chart
March 31, 2002

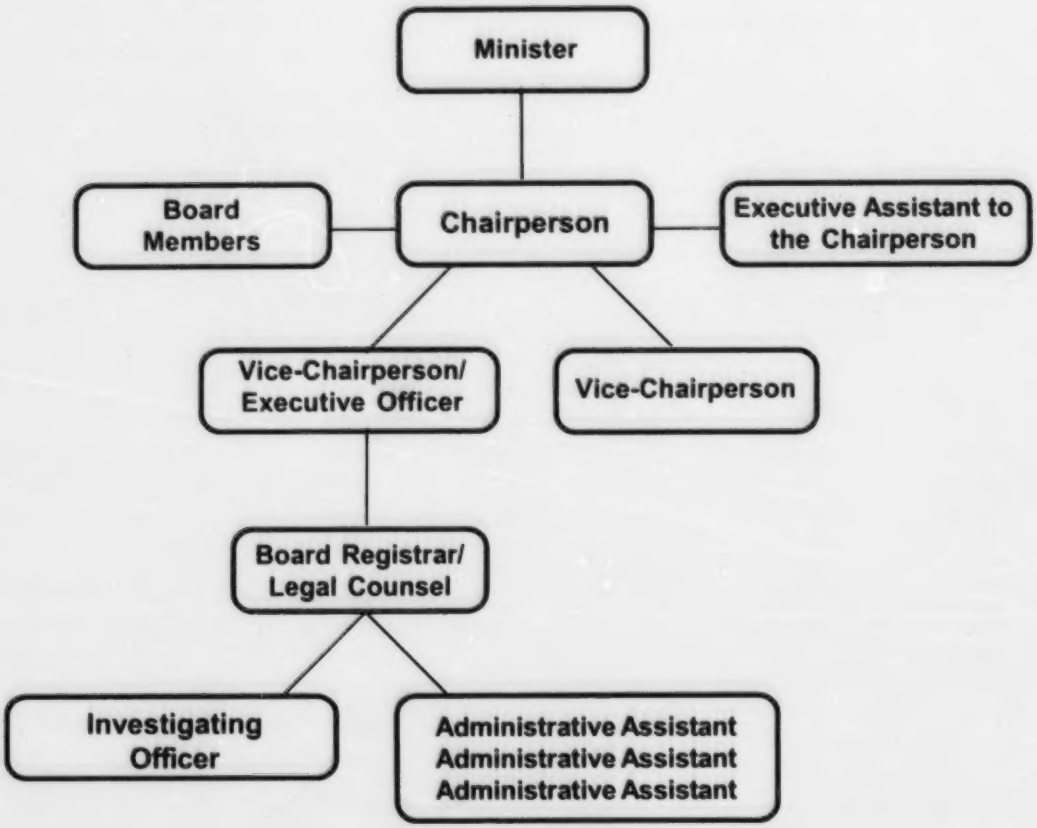


Table 2

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2001-2002

Type of application and disposition	Applications
Total Applications*	339
Granted	116
Dismissed	61
Withdrawn	124
Sine Die	38
Designation of Principal or Contractor	
(Section 2, clause g)	18
Dismissed	1
Withdrawn	17
Certification	
(Section 5, clauses a, b and c)	64
Granted	48
Dismissed	5
Withdrawn	10
Sine Die	1
Unfair Labour Practice	
(Section 5, clause d)	82
Granted	12
Dismissed	12
Withdrawn	41
Sine Die	17
Reinstatement	
(Section 5, clause f)	18
Granted	0
Dismissed	4
Withdrawn	13
Sine Die	1
Monetary Loss	
(Section 5, clause g)	19
Granted	0
Dismissed	4
Withdrawn	14
Sine Die	1
Company Dominated	
(Section 5, clause h)	1
Dismissed	1
Provisional Employee Determination	
(Section 5.2)	6
Granted	6
Interim Applications	
(Section 5.3)	12
Granted	7
Dismissed	3
Withdrawn	1
Sine Die	1
Raid	1
Granted	1
Dismissed	0
Amendment or Rescission	
(Section 5, clauses i, j and k)	A18, R17
Granted	A13, R7
Dismissed	A1, R9
Withdrawn	A1, R0
Sine Die	A3, R1
Exclusion on Religious Grounds	
(Section 5, clause l)	1
Granted	1
Dismissed	0
Employee Determination	
(Section 5, clause m)	7
Granted	2
Dismissed	0
Withdrawn	2
Sine Die	3
Strike/Ratification Votes	
(Section 11, clause 8)	2
Withdrawn	2
Reconsideration	
(Section 13)	1
Granted	0
Withdrawn	1
Reference of Dispute	
(Section 24)	1
Withdrawn	1

Table 2 - Continued

Applications under *The Trade Union Act*
by Type of Application and Disposition, 2001-2002

Type of application and disposition	Applications
Duty of Fair Representation	
(Section 25.1)	30
Granted	0
Dismissed	10
Withdrawn	15
Sine die	5
First Collective Bargaining Agreements	
(Section 26.5)	8
Granted	2
Dismissed	1
Withdrawn	3
Sine Die	2
Membership in Trade Union	
(Section 36.1)	9
Granted	1
Dismissed	5
Withdrawn	3
Transfer of Obligation	
(Section 37)	16
Granted	11
Dismissed	4
Withdrawn	0
Sine Die	1
Deemed Sale of Business	
(Section 37.1)	2
Granted	2
Dismissed	0
Related Employer	
(Section 37.3)	1
Granted	1
Dismissed	0
Transfer of Bargaining Rights	
(Section 39)	0
Technological Change	
(Section 43)	0
Health Applications	2
Certification/HLLRA	0
Amendment	2
Unfair Labour Practice	0
Construction Applications	3
Granted	1
Dismissed	0
Withdrawn	1
Sine Die	1

*339 applications were disposed of although 242 applications were received
Source: Saskatchewan Labour Relations Board files

Table 3

Applications to the Labour Relations Board under *The Trade Union Act*, by Disposition, 1997-98 to 2001-2002

	1997-98	1998-99	1999-2000	2000-2001	2001-2002
Total Applications	243	284*	325	340	336**
Granted	126	153	144	163	107
Dismissed	18	21	22	19	58
Withdrawn	70	82	118	113	122
Determined	1	0	0	0	0
Sine Die	17	18	22	32	35
To Conciliation	0	1	0	0	0
Joint Amnd—Dorsey	3	0	0	4	1
Cert.-Dorsey	1	0	1	0	0
Other Dorsey	2	0	3	0	1
Interim* **	5	9	15	9	12

Under *The Trade Union Act*, the Board may determine the outcome of any dispute referred to it by either party.
The decision of the Board is final and binding.

*1998-99 Figures Amended.
**This figure does not include construction applications.
***The Disposition of Interim Applications is shown in Table 2.

Source: Saskatchewan Labour Relations Board files.

Table 4

Applications to the Labour Relations Board under *The Construction Industry Labour Relations Act, 1992*, by Disposition, 1997-98 to 2001-2002

Year	Total Applications	Granted	Dismissed	Withdrawn	Determined	Sine Die
1997-98	0	0	0	0	0	0
1998-99	1	0	0	1	0	0
1999-00	0	0	0	0	0	0
2000-01	5	4	0	0	0	1
2001-02	3	1	0	1	0	1

Source: Saskatchewan Labour Relations Board files.

Table 5

Applications under *The Trade Union Act* by Type of Application, 1997-98 to 2001-2002

Type of Application	1997-98	1998-99	1999-2000	2000-2001	2001-2002
Total Applications*	**243**	**284****	**325**	**335*****	**336*****
Designation of Principal or Contractor (Section 2, clause g)	0	0	0	0	18
Certification (Section 5, clauses a, b and c)	92	88	113	68	64
Unfair Labour Practices (Section 5, clause d)	64	46	78	105	82
Reinstatement (Section 5, clause f)	14	15	28	24	18
Monetary loss (Section 5, clause g)	14	15	33	26	19
Company dominated (Section 5, clause h)	0	0	0	0	1
Amendment or Rescission (Section 5, clauses i, j and k)	28	51	A12/R14	A17/R17	A18/R17
Exclusion on religious grounds (Section 5, clause l)	3	3	3	3	1
Employee determination (Section 5, clause m)	0	1	3	2	7
Provisional determination (Section 5.2)	1	3	0	6	6
Interim Application (Section 5.3)	5	9	15	9	12
Strike/Ratification Votes (Section 11(8))	0	0	0	1	2
Reconsideration (Section 13)	1	2	0	1	1

Table 5 - Continued ....

Applications under *The Trade Union Act* by Type of Application, 1997-98 to 2001-2002

Type of Application	1997-98	1998-99	1999-2000	2000-2001	2001-2002
Reference of Dispute (Section 24)	1	0	2	2	1
Duty of Fair Representation (Section 25.1)	5	29	8	16	30
First Collective Bargaining Agreements (Section 26.5)	5	5	5	6	8
Raid	–	1	0	6	1
Membership in T.U. (Section 36.1)	–	–	1	0	9
Deemed Sale of Business (Section 37.1)	0	0	0	0	2
Transfer of Obligation (Section 37)	1	11	3	20	16
Related Employer (Section 37.3 / Section 18 CILRA)	–	1	1	1	1
Transfer of Bargaining Rights (Section 39)	2	1	0	0	0
Technological Change (Section 43)	1	2	2	1	0
Health Applications	6	1	4	4	2

*These figures represent the number of applications disposed of during the reporting period, not the number received.
**1998-99 Figures Amended.
Source: Saskatchewan Labour Relations Board files.
***This figure does not include construction applications.

Table 6

Applications under *The Construction Industry Labour Relations Act, 1992* by Type of Application, 1997-98 to 2001-2002

Type of Application	1997-98	1998-99	1999-2000	2000-2001	2001-2002
Total Applications	0	1	0	5	3
Section 5	0	0	0	1	0
Section 10.2	0	0	0	4	1
Section 11	0	0	0	0	0
Section 16	0	0	0	0	0
Section 18	0	1	0	0	2
Section 25	0	0	0	0	0
Section 29	0	0	0	0	0
Section 30	0	0	0	0	0
Section 37	0	0	0	0	0